



Atty. Dkt. No. 053969-0157

IPU
15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Masanao SAKAI
Title: NETWORK, IPsec SETTING SERVER APPARATUS, IPsec
PROCESSING APPARATUS, AND IPsec SETTING METHOD
USED THEREFOR
Appl. No.: 10/655,372
Filing Date: 9/5/2003
Examiner: Pan, Joseph T.
Art Unit: 2135
Confirmation Number: 8586

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the mailing date of the foreign office communication. Further, they are being submitted within 30 days from receipt by the foreign associate or from the date of mailing of the search report.

RELEVANCE OF EACH DOCUMENT

The documents listed on the attached PT0/SB/08 were cited as being relevant during the prosecution of the corresponding Japanese application. A partial English translation of the Japanese Office Action of October 23, 2007, follows:

- Claims 1–25
- Publications
 1. Japanese Unexamined Patent Application Publication
2001–298449
 2. Japanese Unexamined Patent Application Publication
2002–217896
 3. Japanese Unexamined Patent Application Publication
2001–127759

(Claims 1–25): Cited Examples 1, 2 and 3

In a written opinion dated September 3, 2007, the applicant states that a point of difference between the invention of the present application and Cited Example 1 is that in the invention of the present application, the IPsec settings server device provides a shared secret key to the IPsec processing device, updates it before its term of validity expires, and provides the new settings information to the IPsec processing device.

However, Cited Example 3 describes how an information management server manages, for each client, environment information (encryption keys, encryption parameters, etc.) relating to encrypted communication with other clients, and distributes the environment information in response to requests from each client (see paragraphs 0025–0027).

Therefore, applying Cited Example 3 to Cited Example 1 to configure it so that the security information device of Cited Example 1 also manages environment information such as encryption keys and distributes this information in response to requests from clients is a matter that could be easily conceived of by a person skilled in the art. Here, providing a term of validity for an SA and updating it before the term of validity expires is well known (if necessary, see, for instance, paragraph 0028 of Cited Example 2). Thus, acquiring new environment information before the term of validity of an SA expires entails no remarkable difficulty.

This record of prior art literature search results does not constitute a reason for rejection.

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding Japanese application. An English translation of the foreign language documents is not readily available; however the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). English language abstracts are attached.

Applicant's statements regarding the Japanese office action are based on a translation that applicant's representative obtained. These statements should in no way be considered as an agreement by applicants, with or an admission of, what is asserted in the Japanese office action.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Document D1 is a U.S. counterpart of Document D2.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.


The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

Applicant also submits herewith the fee for filing an Information Disclosure Statement as set forth in CFR 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741

Respectfully submitted,

Date: November 21, 2007

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6014
Facsimile: (202) 672-5399

By  (Reg. 59597)
for George C. Beck
Attorney for Applicant
Registration No. 38,072